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FOR IMMEDIATE RELEASE:

July 21, 2006

NJMC Granted Proper Oversight of Rail-side Waste Operation by Court

LYNDHURST, N.J. – The New Jersey Meadowlands Commission was granted a temporary injunction by the State Superior Court today against a rail-side waste station proposed by the New York Susquehanna and Western Railway over an oil pipeline in North Bergen. The measure would force the railroad to comply with basic oversight regulations before proceeding with construction.

“NYS&W and other railroads that choose to disregard a community’s right to health and safety in the pursuit of greed should read this action loud and clear, they must respect the rights of their neighbors and the environment,” said NJMC Chair Susan Bass Levin, also Commissioner of the Department of Community Affairs. “If certain railroad companies like this one are allowed to get away with the argument that they are above the law environmentally sensitive areas like the Meadowlands and Pinelands will continue to be threatened as well as urban communities enduring environmental justice slights like Paterson and Passaic.”

NYS&W sent notice to the NJMC on July 10 notifying the agency that the railroad would commence construction of a rail-side waste operation at 43rd Street in North Bergen despite not having submitted all proper building code and planning documents to the agency, including fire suppression plans or adequately addressing complications presented by an underground oil pipeline at the site.

Problems with rail-side waste operations in the region have been highlighted lately by a May 30 derailment of an NYS&W train carrying solid waste from a facility in Paterson, an April 4 fire at a rail-side waste site operating adjacent to New York & Greenwood Railway Co. rails in Passaic, a March 31 fire on an NYS&W train carrying solid waste from a waste facility in North Bergen, a November 25 oil spill into the Hackensack River and Meadowlands marshes from an NYS&W locomotive in Ridgefield, illegal wetlands fill at an NYS&W rail-side waste site in North Bergen, and the tripping of a circuit on a PSE&G high-power line by a piece of heavy equipment at an NYS&W-related waste operation in North Bergen.

The injunction has been granted at the same time that NYS&W is disputing a \$2.5 million fine by the state Department of Environmental Protection for failing to meet basic building codes and environmental safeguards at rail-side waste sites across the Meadowlands portion of North Bergen.